Practition of Spacker No. TOB/101/US & SST/1197

EL 827314821

3/21/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Toback, Alex S.

Application No.: 09/634,908

Group No.: 3635 Examiner: Varner, S.

Filed: August 9, 2000 For: SELF-DRILLIN

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List of Sections Forming Part of This Information Disclosure Statement

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will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Information Disclosure Statement--page 1 of 7)

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The following sections are being submitted for this Information Disclosure Statement:

- 1. Preliminary Statements
- 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)
- 3. Copies of Listed Information Items Accompanying This Statement
- 4. Identification of Person(s) Making This Information Disclosure Statement

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

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Section 3. Copies of Listed Information Items Accompanying This Statement

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.



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Identification of Person Making This Information Disclosure Statement Section 4.

The person making this certification is:

the practitioner who signs below on the basis of the information in the a. practitioner's file.

Date: March 11, 2002

Charles R. Cypher Registration No. 41694

Law Offices of James R. Cypher 405 14th Street, Suite 1607 Oakland, CA 94612

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Complete if Known				
Application Number	09/634,908			
Filing Date	08/09/2000	7		
First Named Inventor	Alex S. Toback			
Group Art Unit	3635			
Examiner Name	Varner, S.			
Attorney Docket Number	SST/1197			

			U.S. PATENT DOC	UMENTS	
Examiner Initials*	Cite No.1	U.S. Patent Docum Kind (Number (if kn	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		1,485,202	Rosenberg, H.	02/26/1924	
		1,802,560	Kerwin, A. C.	04/28/1931	
		3,639,137	Marinelli, N.	02/01/1972	
		3,739,682	Siebol, et al.	06/19/1973	
		3,867,864	Knohl, F. K.	02/25/1975	
		3,902,399	Yotti, V.	09/02/1975	
		3,925,996	Wiggill, J. B.	12/16/1975	
		3,937,119	Ernst, R. J.	02/10/1976	
		4,034,641	Williams, Jr., et al.	07/12/1977	
		4,350,464	Brothers, R.	09/21/1982	
		4,420,604	Wallace, R.	12/13/1983	
		4,439,077	Godsted, K.	03/27/1984	
		4,536,524	Hart, et al.	08/20/1985	·
		4,545,712	Wallace, R.	10/08/1985	
		4,652,194	Tajima, et al.	03/24/1987	
		4,842,467	Armstrong, W.	06/27/1989	
		4,973,210	Osborne, et al.	11/27/1990	
		5,061,136	Dixon, et al.	10/29/1991	
		5,188,496	Giannuzzi, L.	02/23/1993	
		5,190,426	Wieder, et al.	03/02/1993	

				FOR	EIGN PATENT DOCUMENT	rs		
Examiner Cite Initials No.1		Office	Foreign Patent Docu Number4	ment Kind Code ⁵ (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T _e
		EP	0 133 773		Barth, G. D.	03/06/1985		
		EP	0 560 789	B1	Bickford, C.	09/22/1993		
			466,039		Jasper, C. H.	05/20/1937		
	·		1 510 686		Ernst, R. J.	05/10/1978		
			1 519 139		Crock, et al.	07/26/1978		
			2 115 511	Α	Godsted, K. B.	09/07/1983		
			2 152 171	Α	Godsted, K. B.	07/31/1985		}
		WO	99/05421		Glover, F.	02/04/1999		
		WO	99/10688		Bickford, C.	06/25/1992		

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THE STATE OF THE S	Group Art Unit	3635					
(use as many sheets as necessary)	Examiner Name	Varner, S.					

Attorney Docket Number

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		5,282,708		Giannuzzi, L.	02/01/1994	
		5,294,227		Forster, et al.	03/15/1994	
		5,397,812		Usami, et al.	03/14/1995	
		5,452,977		Terrizzi, A. S.	09/26/1995	
		5,531,553		Bickford, C.	07/02/1996	
		5,661,938		Ditka, et al.	09/02/1997	
		5,674,035		Hettich, et al.	10/07/1997	
		5,867,958		Ditka, et al.	02/09/1999	
		5,957,646		Giannuzzi, et al.	09/28/1999	
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	FOREIGN PATENT DOCUMENTS									
Examiner	Examiner Cite		Foreign Patent Do		Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant			
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